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Scott Michael Mishkin, Esq.

VIA ECF

April 29, 2008

Hon. Lewis A. Kaplan
United States District Court Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
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New York, NY 10007

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Re: Juan Garcia-Espinoza v. JP Restaurant Corp., d/b/a Carmine's Italian Seafood
CV 07-8330 (LAK)

Dear Judge Kaplan:

This correspondence is respectfully submitted to Your Honor subsequent to conversations with opposing counsel.

As the court is aware, at the parties March 19, 2008, Initial Conference Plaintiff proffered a settlement offer to Defendant in the amount of Thirty Thousand (\$30,000.00) Dollars.


On or about April 24, 2008, in an effort to stem litigation costs, Defendant's counter-offered Ten Thousand (\$10,000.00) Dollars. To date, Plaintiff has not rejected said offer or put forth a counter-offer.

Based on the proximity of Plaintiff's initial settlement offer of Thirty Thousand (\$30,000.00) Dollars and Defendant's counter-offer of Ten Thousand (\$10,000.00) Dollars, it is in the best interest of both parties to avoid further litigation costs and settle said matter.

As Your Honor proffered to assist in the settlement of this matter, during the parties Initial Conference, as the parties are relatively close to said settlement, Defendant respectfully requests Your Honor's assistance in attempting to resolve this matter without the need for further litigation.

Your Honor's consideration is appreciated.

Respectfully submitted,


Scott Michael Mishkin

cc: Justin A. Zeller, Esq. (via ECF)

JP Restaurant Corp., d/b/a Carmine's Italian Seafood

